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12 *Attorneys for Defendants*

13
14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

16
17 *In re: Hyundai and Kia Engine*
18 *Litigation II*

CASE No. 8:18-cv-02223-JLS-JDE

19 **DECLARATION OF EUGENE LEE**
20 **IN SUPPORT OF JOINT NOTICE**
21 **OF INADVERTENT OMISSION OF**
22 **CERTAIN CLASS MEMBERS**
23 **FROM CLASS SETTLEMENT**
24 **NOTICE AND SUBMISSION**
25 **SEEKING GUIDANCE FROM THE**
26 **COURT**

The Hon. Josephine L. Staton

1 I, Eugene Lee, state that I am over 18 years of age, and declare as follows:

2 1. I make this declaration based on my personal, firsthand knowledge and
3 review of relevant records, and, if called as a witness, I could and would testify
4 competently hereto.

5 2. I make this declaration in support of the Joint Notice of Inadvertent
6 Omission of Certain Class Members from Class Settlement Notice and Submission
7 Seeking Guidance from the Court.

8 3. I am the National Manager of TREAD & Recall Management at the
9 Safety Office of Kia North America.

10 4. On or around September 6, 2023, Epiq informed the Customer Care
11 Department for Kia America, Inc. that VINs for some eligible vehicles did not appear
12 in Epiq's class vehicle list.

13 5. I undertook a review and analysis to determine why these VINs were not
14 in Epiq's records.

15 6. Kia's VIN population of eligible vehicles ("Kia Class Vehicle List") was
16 generated by pulling VINs for the class vehicle models and model years from the
17 Vehicle Master database. The Vehicle Master database houses information about
18 vehicles at a VIN level including model and model year.

19 7. The list of class vehicle VINs exported to Epiq ("Epiq Class Vehicle
20 List") was based on the Kia Class Vehicle List. Kia extracted customer name and
21 mailing addresses ("Owner Information") for those VINs from the Customer Data
22 Management ("CDM") database in order to provide Epiq with a usable set of VINs
23 and corresponding customer information with which provide class notice. The CDM
24 database is a repository for customer information that is aggregated from a variety of
25 sources.

26 8. Upon review and analysis comparing the Epiq Class Vehicle List with
27 the Kia Class Vehicle List, I isolated a batch of VINs from the Kia Class Vehicle List
28

1 that had been omitted on the Epiq Class Vehicle List. The omissions related to a
2 variety of models and model years.

3 9. Because there was no commonality between the identified missing VINs,
4 and because I found all the missing VINs Epiq identified in the Kia Class Vehicle
5 List, I concluded that the omitted VINs did not result from an error in extracting the
6 eligible VINs for the Kia Class Vehicle List from the Vehicle Master database.

7 10. After further analysis, I determined that the system logic used to extract
8 Owner Information to create the Epiq Class Vehicle List contained an error in that it
9 failed to provide Owner Information from the original Retail Delivery Report
10 ("RDR") database when a customer contact was not found in the CDM database.

11 11. Therefore, when Kia provided the Epiq Class Vehicle List with Owner
12 Information, it did not contain 100% of the identified eligible VINs.

13 12. I identified 7,661 missing VINs through the variance between the Kia
14 Class Vehicle List and the Epiq Class Vehicle List.

15 13. I extracted the available Owner Information for these 7,661 VINs from
16 the CDM database and found 3,577 VINs did not return Owner Information. The
17 remaining 4,084 VINs did not have Owner Information in the CDM database when
18 Kia extracted the Epiq Class Vehicle List, but the information had been added in the
19 interim.

20 14. For the 3,577 VINs that did not have Owner Information in the CDM
21 database as of September 6, 2023, I searched Owner Information in the RDR database.
22 This process provided Owner Information for all but 789 VINs.

23 15. These 789 VINs had an Inventory Status of "99." Status "99" is the
24 internal Inventory Status at Kia America, Inc. assigned to vehicles deemed insurance
25 write-offs. These vehicles were never wholesaled because they were declared a total
26 loss.

27 16. The Owner Information for all missing VINs except for these 789 VINs
28 has been provided to Epiq to upload to their database

